

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

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FELIX MIGUEL ARMIJOS,

Plaintiff,

-against-

COSITAS RICAS ECUATORIANAS
CORP., TASTY CHAULAFAN CORP.,
CARLOS A. SEGARRA, AND JUAN
CARLOS SEGARRA,

Defendants.

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MEMORANDUM AND ORDER

Case No. 19-cv-02893 (FB)

BLOCK, Senior District Judge:

Plaintiff has moved for reconsideration of the Court's June 29, 2020 order compelling arbitration in this matter. Reconsideration is improper unless a movant can point to "intervening change of controlling law, the availability of new evidence, or the need to correct a clear error or prevent manifest injustice." *Virgin Atl. Airways, Ltd. v. Nat'l Mediation Bd.*, 956 F.2d 1245, 1255 (2d Cir. 1992). The Plaintiff has not pointed to a change in law, new evidence, clear error, or manifest injustice here, only the chicanery of the Defendants. That is not sufficient to satisfy the standard for reconsideration, and the motion is thus DENIED.

Nonetheless, the Defendants are hereby ordered on pain of contempt to participate in arbitration proceedings in good faith. Should the Defendants continue

to refuse to participate in arbitration, the Plaintiff is free to file a motion for contempt for failure to comply with this order. The Court is not inclined to tolerate further obstruction and delay by the Defendants.

SO ORDERED.

/S/ Frederic Block
FREDERIC BLOCK
Senior United States District Judge

Brooklyn, New York
November 12, 2021